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5 Counsel for Defendant CHRISTOPHER CARR

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7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 09-00964 DLJ
Plaintiff,)
13)
14 v.) **STIPULATION AND**
15) **ORDER CONTINUING DATE AND**
CHRISTOPHER CARR,) **EXCLUSION OF TIME**
16)
17 Defendant.)

18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
20 plea or trial setting date in this case with respect to Christopher Carr, currently scheduled for Friday,
21 February 12, 2010, at 9:00 a.m. before Honorable D. Lowell Jensen, may be continued one week to
22 Friday, February 19, 2010, at 9:00 a.m. for change of plea or trial setting. The reason for the
23 continuance is that defense counsel is unavailable on February 12, 2010. A continuance to February
24 19, 2010, will enable defense counsel to continue its investigation and to be present for the change of
25 plea or trial setting. The parties stipulate that the time from February 12, 2010, to February 19,
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2010, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel.

DATED: 2/08/10

/s/
JOYCE LEAVITT
Attorney for Christopher Carr

DATED: 2/08/10

/s/
JAMES MANN
Assistant United States Attorney

I hereby attest that I have on file all holographed signatures for any signatures indicated by a
conformed signature (/s/) within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date in this case, is
hereby continued to Friday, February 19, 2010, at 9:00 a.m. for change of plea or trial setting.

IT IS FURTHER ORDERED that the time from February 12, 2010, to February 19, 2010 is
hereby excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel so that
defense counsel can continue its investigation and be present in Court for the next appearance. The
Court finds that the ends of justice served by the granting of the continuance outweigh the best
interests of the public and the defendant in a speedy and public trial and the failure to grant the
requested continuance would unreasonably deny counsel the reasonable time necessary for effective
preparation, taking into account due diligence.

SO ORDERED.

DATED: February 8, 2010


HONORABLE D. LOWELL JENSEN
United States District Judge